

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SEVENTEENTH LEGISLATURE

SECOND SPECIAL SESSION
September 5, 1996 to September 7, 1996

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 4, 1996 to March 27, 1997

FIRST SPECIAL SESSION
March 27, 1997 to June 20, 1997

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 26, 1997

FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 19, 1997

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1997

(a) The officer was engaged in an investigation or purported investigation involving an allegation of abuse, as defined in Title 19, section 762, subsection 1 and in Title 19-A, section 4002, subsection 1;

(b) The other person was the alleged victim of that abuse;

(c) The parties did not have a preexisting and ongoing sexual relationship that included engaging in any sexual act or sexual contact; and

(d) Fewer than 60 days had elapsed since the officer initially became involved in the investigation or purported investigation; and

Sec. 2. 25 MRSA §2806, sub-§1, ¶C, as amended by PL 1989, c. 521, §§9 and 17, is further amended to read:

C. Shall investigate a complaint, on its own motion or otherwise, regarding the failure of a law enforcement or corrections officer to comply with the requirements of section ~~2804-D~~, 2804-E or 2804-F, and any rules adopted under those sections. The board may, upon notice, conduct an informal conference with the officer. If the board finds that the factual basis of the complaint is true and that further action is warranted, it may take the following action:

- (1) Enter into a consent agreement with the officer, which agreement may contain provisions to ensure compliance, including voluntary surrender of the certificate and terms and conditions of recertification; or
- (2) Refer the complaint to the Attorney General for action in the Administrative Court.

See title page for effective date.

CHAPTER 403

H.P. 1178 - L.D. 1669

An Act Regarding the Relocation of a Child by a Parent Having Primary Physical Custody

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 19-A MRSA §1653, sub-§14 is enacted to read:

14. Notice of relocation. The order must require notice of the intended relocation of a child by a parent awarded shared parental rights and responsibilities or allocated parental rights and responsibilities. At least 30 days before the intended relocation of a child by a parent, the parent shall provide notice to the other parent of the intended relocation. If the relocation must occur in fewer than 30 days, the parent who is relocating shall provide notice as soon as possible to the other parent. If the parent who is relocating believes notifying the other parent will cause danger to the relocating parent or the child, the relocating parent shall notify the court of the intended relocation, and the court shall provide appropriate notice to the other parent in a manner determined to provide safety to the relocating parent and child.

Sec. 2. 19-A MRSA §1657, sub-§2, ¶A, as enacted by PL 1995, c. 694, Pt. B, §2, is amended to read:

A. The relocation, or intended relocation, of a child resident in this state to another state by a parent, when the other parent is a resident of this State and there exists an award of shared or allocated parental rights and responsibilities concerning the child; ~~or~~

Sec. 3. 19-A MRSA §1657, sub-§2, ¶¶A-1 and A-2 are enacted to read:

A-1. The relocation, or intended relocation, of a child that will disrupt the parent-child contact between the child and the parent who is not relocating, if there exists an award of shared or allocated parental rights and responsibilities concerning the child. Relocating the child more than 60 miles from the residence of the parent who is relocating or more than 60 miles from the residence of the parent who is not relocating is presumed to disrupt the parent-child contact between the child and the parent who is not relocating;

A-2. The receipt of notice of the intended relocation of the child as required under section 1653, subsection 14; or

Sec. 4. Effective date. This Act takes effect October 1, 1997.

Effective October 1, 1997.

CHAPTER 404

H.P. 1282 - L.D. 1819

An Act to Modernize Maine's Financial Institution Franchise Tax